

First Day of Smart Trial Jury Selection

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EXETER — Of 75 Rockingham County residents excused yesterday as potential jurors to sit at the trial of Pamela Smart, more than half said they had been influenced by the media and doubted if they could be impartial.

Smart, 23, is scheduled for trial March 4 on charges of conspiracy and accomplice to the murder of her husband, Gregory, on May 1 in the couple's Derry condominium.

Raymond Taylor, clerk of the Rockingham County Superior Court, said 147 potential jurors showed up for the first round of screening

After receiving an hour of general instructions from Judge Douglas Gray, 75 of the would-be candidates were excused from jury duty for a variety reasons, according to Gray.

One of the rejected candidates, a woman who preferred anonymity, said "I was excused because I couldn't be unbiased. My guess is a great portion of the others were excused for the same reason."

Mrs. Josephine M. Herbert of Windham echoed a similar view on not being selected as a juror.

"The judge asked us to search our minds about being true citizens and if we could give Pamela Smart a fair trial," said Mrs. Herbert.

"She (Smart) would not want you to have formed any prior opinion," said Mrs. Herbert.

"The judge continually

stressed the importance of being a true citizen and unbiased," she said.

At one point in his instructions, Gray asked the jury duty candidates if they had been influence by media coverage of the Smart case.

"My guess is a good many of us were dismissed because of that, and we had formed an opinion about the case," said Mrs. Herbert.

"I read about the case and saw it on TV. Of course, there was a great deal of talk at the senior citizen senior where I go twice a week," said Mrs. Herbert.

Prior commitments during the expected five-week trial were among the reasons for being excused from jury duty, said Taylor.

One of the excused candidates said she had a trip to Bermuda scheduled at the time of trial.

A military reservist was excused because he is on standby for duty in the Middle East, he said.

The remaining 72 potential jurors were scheduled for private interviews with the judge and trial attorneys beginning this morning.

Judge Gray said the "voir dire" or individual interviews with each juror would take about 30 minutes.

Gray said 12 interviews will be scheduled daily until 14 or 15 jurors (including two or three alternates) are selected.

Taylor said that the voir dire could take up to two weeks.

The Smart trial is set to begin March 4 with a viewing of the murder scene in Derry and a viewing in Hampton where the defendant worked as a media director at School Administrative Unit 21.

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